

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

LEVERT K. GRIFFIN,)	CASE NO. 5:05 CV 1982
)	
Petitioner,)	JUDGE JAMES S. GWIN
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
CHRISTINE MONEY,)	<u>AND ORDER</u>
)	
Respondent.)	

On August 12, 2005, petitioner pro se Levert K. Griffin filed this habeas corpus action under 28 U.S.C. § 2254, challenging his 2002 convictions for sale and possession of marijuana. For the reasons stated below, this action is dismissed.

A federal district court may entertain a petition for a writ of habeas corpus by a person in state custody only on the ground that the custody violates the Constitution or laws of the United States. Furthermore, the petitioner must have exhausted all available state remedies. 28 U.S.C. § 2254.

Mr. Griffin does not set forth any intelligible bases or grounds for relief. As there is no indication on the face of the petition that he seeks to raise an issue cognizable in habeas corpus, the petition is denied and this action is dismissed pursuant to Rule 4 of the Rules Governing Section 2254. Further,

the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed.R.App.P. 22(b).

IT IS SO ORDERED.

Dated: September 29, 2005

s/ James S. Gwin

JAMES S. GWIN
UNITED STATES DISTRICT JUDGE